_____

SUBJECT: Class Deviation No. 2025-03 from the Federal Acquisition Regulation for FAR Part 1 in Support of Executive Order 14275 on Restoring Common Sense to Federal Procurement

FROM: Chrishaun Jones
Senior Procurement Executive
Office of the Senior Procurement Executive

TO: Department of Transportation Chiefs of the Contracting Offices

I. **Purpose:** This class deviation (CD) is issued under Federal Acquisition Regulation (FAR) part 1 and Transportation Acquisition Regulation (TAR) part 1201 and authorizes a class deviation to FAR part 1 for purposes of implementing the Federal Acquisition Regulatory Council's (the Council's) model deviation text to FAR part 1.

II. **Effective Date:** Immediately

III. **Background:** On April 15, 2025, Executive Order (E.O.) 14275 on Restoring Common Sense to Federal Procurement was signed. Section 2 of the E.O. establishes the policy that the FAR "should only contain provisions required by statute or essential to sound procurement, and any FAR provisions that do not advance these objectives should be removed."

The FAR is being updated to:
*   Remove language that is not required by statute
*   Remove duplicative or outdated language
*   Clarify or provide more plain language
*   Revise language for the new FAR framework
*   Retain language necessary for governmentwide acquisition standards.

This project is referred to as the Revolutionary FAR Overhaul (RFO) initiative.

In explaining the Federal Acquisition System, the RFO FAR part 1 model deviation text establishes bedrock principles. Most centrally, it sets a "mission first" message at the top of the guiding principles. The RFO FAR part 1 model deviation also increases the emphasis on the best use of taxpayer dollars and calls out the value of time as another guiding principle. Additionally, it retains a focus on satisfying the customer, maximizing use of commercial products and services, promoting competition and encouraging innovation.

Statutory requirements retained in the RFO FAR part 1 model deviation include, but are not limited to, the following:

- 31 U.S.C. ch. 3702, Authority to settle claims
- 41 U.S.C. ch. 13 et seq., Acquisition Councils
- 41 U.S.C. ch. 17 et seq., Agency Responsibilities and Procedures
- 41 U.S.C. ch. 1908, Inflation adjustment of acquisition-related thresholds
- 41 U.S.C. ch. 3102, Delegation and assignment of powers, functions, and responsibilities

Non-statutory requirements removed from FAR part 1 include, but are not limited to, the following:

- The list of OMB approved control numbers contained in subpart 1.1. These controls numbers are now listed on Acquisition.gov
- Subpart 1.2 - Administration
- Subpart 1.5 - Agency and Public Participation

Other key changes include:

- Class deviations require approval by the FAR Council except where required to implement agency-specific executive or statutory direction.

IV. **Required Actions:** All DOT Operating Administrations (OAs), the Office of the Secretary of Transportation (OST), and the Office of the Inspector General (OIG), excluding the Federal Aviation Administration (FAA) per TAR 1201.104(d) shall follow the RFO part 1 model deviation text instead of FAR part 1 as codified at 48 CFR chapter 1. The Council's RFO part 1 model deviation text is available at Acquisition.gov/far-overhaul and is incorporated by reference into this CD. A line-out version of the changes may also be found here for reference.

Heads of the Contracting Activities (HCAs) must ensure this deviation is disseminated to the acquisition workforce and ensure compliance with the requirements in the revised FAR part 1 guidance.

V. **Applicability:** This CD applies to all DOT OAs, OST, and OIG, excluding the FAA in accordance with TAR 1201.104(d).

VI. **Expiration Date:** This CD will remain in effect until it is incorporated into the FAR or is otherwise rescinded, whichever occurs first.

VII. **Point of Contact:** Questions or comments regarding this deviation may be directed to DOTAcquisitionPolicy@dot.gov.